

FREQUENTLY ASKED QUESTIONS: ODYSSEY CHARTER SCHOOL CHARTER REVOCATION

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What happened at the Public Charter School Commission's (PCSC's) September 10, 2014, special meeting?

At a special meeting held in Boise on September 10, 2014, the PCSC moved to revoke the charter for Odyssey Charter School on the grounds of failure to meet Condition 2 in its performance certificate by the timeline specified. The revocation will be effective at 5:00 p.m. MDT on September 12, 2014.

The special meeting was open to the public. Public testimony was received in writing, in person, and by phone. Legal counsel for both Odyssey and the PCSC made statements. The PCSC then considered a hearing officer's Findings of Fact and Conclusions of Law, and made its decision to revoke the charter.

What does charter revocation mean?

Idaho law defines a charter as the grant of authority approved by the authorizer to the board of directors of a public charter school. When a school's charter is revoked, that

school is no longer authorized to operate a public charter school and will cease to receive funding from the state.

Why did the PCSC revoke Odyssey's charter?

Odyssey failed to meet an important condition in its performance certificate by the specified deadline.

Public charter schools and their authorizers are required by law to sign performance certificates. Performance certificates are legal documents clarifying the rights and duties of each party, as well as the specific quality measures to which the charter school will be held accountable.

During the process of negotiating the terms of a performance certificate, specific conditions for necessary improvements may be included, along with timelines on which such conditions must be met. Idaho Code Section 33-5209C(7) provides that "[a] charter may be revoked by the authorized chartering entity if the public charter school has failed to meet any of the specific, written conditions for necessary improvements established pursuant to the provisions of 33-5209B(1), Idaho Code, by the dates specified.

Condition 2 in Odyssey's performance certificate provides that "Odyssey will achieve accreditation candidacy status during the 2013-2014 school year. This condition must be met by June 30, 2014."

Odyssey did not achieve accreditation candidacy by the June 30, 2014, deadline specified in the performance certificate. A letter issued by the Northwest Accreditation Commission (NWAC) on June 11, 2014, states that "Odyssey Charter is not approved to move to the candidacy step to procure accreditation." NWAC cited a number of indicators that Odyssey failed to meet. These indicators were representative of a broad range of concerns that the PCSC had about the operations of the school.

What due process was offered to Odyssey after issuance of the Notice of Intent to Revoke?

Idaho statute provides that when a charter school authorizer issues a notice of intent to revoke, the school must be given a reasonable opportunity (30 days) to respond. Within 30 days of receiving the written response, the authorizer must hold a public hearing on the matter. Following that hearing, the authorizer makes a final decision regarding whether or not to revoke the charter. If revocation does occur, the school may appeal that decision to the State Board of Education.

- The PCSC's notice of intent to revoke was issued on June 18, 2014.
- Odyssey's written response to the notice of intent was received on July 16, 2014.
- A public hearing was conducted by a hearing officer on August 15, 2014.

- The PCSC made its final decision at a public meeting on September 10, 2014. Prior to the meeting, the PCSC reviewed the record, including Odyssey's exhibits and legal briefs. During that meeting, the PCSC heard public testimony and argument from Odyssey's counsel.

How can I access more information about the Odyssey charter revocation?

The PCSC welcomes the public to review both the PCSC's and Odyssey's perspectives as they were presented during the due process that occurred, in accordance with law, since the PCSC issued the notice of intent to revoke Odyssey's charter.

Please follow [this link](#) to view a large document that includes the following:

- The Hearing Officer's Findings of Fact and Conclusions of Law
- The PCSC's Notice of Intent to Revoke
- Odyssey's Written Response to the Notice of Intent to Revoke
- Odyssey's Pre-Hearing Brief
- The PCSC's Summary of Evidence and Exhibits for Hearing
- Odyssey's Exhibits for Hearing
- Transcript of Hearing
- The PCSC's Post-Hearing Brief
- Odyssey's Post-Hearing Brief
- Letters from District 91 and District 93 regarding Transfer of Credits

Why didn't the PCSC agree to a delay of the revocation decision?

During the September 10, 2014, meeting, Odyssey requested that the PCSC delay its decision until the PCSC's October 9, 2014, regular meeting. Odyssey stated that they believed they could achieve accreditation candidacy status by that time.

The PCSC considered the delay option at length. However, it became clear during the meeting that it would not be logistically possible for Odyssey to progress through the necessary steps and achieve candidacy prior to October 9. Additionally, the PCSC expressed lack of confidence – in light of Odyssey's operational history and the absence of evidence presented by Odyssey to demonstrate significant progress toward meeting the standards for candidacy status – that Odyssey would be successful even on a delayed timeline.

How does the accreditation process work?

Idaho statute requires that all public high schools be accredited.

The accreditation process begins when a school applies for candidacy status. Schools are directed to do some preparatory work including gathering documents as evidence of certain quality elements, then NWAC conducts a readiness visit. It is typical and desirable for a new high school to achieve accreditation candidacy status during its first year of operations. Failure to do so is extremely uncommon.

After achieving candidacy status, a school becomes eligible to proceed toward full accreditation by providing evidence to NWAC that it meets additional quality standards. Full accreditation is typically achieved during a public charter school's second year of operations.

A school in applicant status is not considered accredited. A school in candidacy status is considered accredited, as is a school that has achieved full accreditation status.

A school's accreditation status is never retroactive to previous school years. Credits earned at Odyssey during the 2013-14 school year will always be considered to have been earned at a non-accredited school.

How will Odyssey's failure to achieve accreditation candidacy status affect students?

Students who attended Odyssey's high school classes (grades 9 and up) during the 2013-14 school year will be affected by Odyssey's failure to achieve accreditation candidacy status, because Odyssey is a non-accredited school.

Course credits earned at a non-accredited school may not be recognized by districts to which former Odyssey students transfer. Whether or not to recognize Odyssey's credits is a decision made by the receiving district's or charter school's board of directors.

District 91 is offering a temporary, partial exception to its policy of not recognizing credits from non-accredited schools:

- The exception is applicable only to Odyssey students who transfer to District 91 during the first trimester of the 2014-15 school year.
- Credits may transfer only if the student earned a B or better.
- Transferred credits will be counted as elective credits only, even if they were in core subjects such as math and English. Students will still need to earn the required number of core credits.

District 93 is not making exceptions to its policy of recognizing credits from non-accredited schools. The district's practice is to make the following options available to students:

- Students may attempt to test out of courses in order to receive credit.
- Students may access credit recovery coursework offered through the district.

- Students may petition to have a committee review a portfolio of their work in order to receive credit.

Students who need to re-take coursework may also wish to consider summer school or night school options offered by their local school districts, and/or coursework available through one of Idaho's public virtual schools.

What are my options for enrolling my former Odyssey student in another school?

Educational options for former Odyssey students include the local district schools, public virtual schools, other public charter schools, private schools, and homeschool. Contact information for Idaho's public virtual schools and Idaho Falls area public charter schools is provided below:

Public Virtual School Name	Website	Phone Number
Richard McKenna Charter High School	http://rmckenna.org	208-580-2449
Idaho Virtual Academy	http://idva.k12start.com	886-512-2273 or 208-322-3559
INSPIRE Connections Academy	http://www.connectionsacademy.com	208-322-4002
iSucceed Virtual High School	http://isucceedvhs.net	855-375-3116
Idaho Connects Online	http://www.iconschool.org	208-287-3668 or 888-444-4689
Kootenai Bridge Academy	http://kootenaibridgeacademy.org	208-930-4515

Idaho Falls Area Public Charter Schools

American Heritage Charter School	http://americanheritagecharterschool.com	208-529-6570
Monticello Montessori Charter School (K-6)	http://www.monticellomontessori.net	208-419-0742
Taylor's Crossing Public Charter School	http://tceagles.weebly.com	208-552-0397
White Pine Charter School (K-8)	http://www.whitepinecharterschool.org	208-552-4432

How can I learn more?

You are welcome to contact Public Charter School Commission Director Tamara Baysinger at (208) 332-1583 or tamara.baysinger@osbe.idaho.gov for additional information.